

JUN 19 2001



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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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Washington, D.C. 20005

In re Application of :
LARMA, Ilkka, et al. :
U.S. Application No.: 09/673,794 :
PCT No.: PCT/FI99/00329 : DECISION
International Filing Date: 23 April 1999 :
Priority Date: 23 April 1998 :
Attorney's Docket No.: 06267.0053 :
For: CONTROLLED RELEASE PERORAL :
COMPOSITIONS OF LEVOSIMENDAN :
:

In a decision mailed by this Office on 15 March 2001, applicants' petition to change the name of the inventor identified on the published international application as Maarit HARJULA to Maarit Backman was dismissed without prejudice. The petition was dismissed because the court document submitted by applicants as evidence of the name change was not an original certified copy.

On 28 March 2001, applicants filed the "Renewed Petition Under 37 CFR 1.182" considered herein. The renewed petition asserts that the court document submitted with the original petition is "an *original* court order" and should therefore be acceptable.

A review of the previously filed court document, however, does not support applicants' assertion. The document contains a court seal, but the seal is not lifted and appears to be a photocopy; in fact, part of the seal is cut off at the top of the document. On the top left hand corner of the document (near the seal), and at the bottom of the document, there are dark lines characteristic of a photocopy, and the official signature at the lower right of the document also appears to be a photocopy. Thus, while applicants' intent was apparently to file an original of the court order, the document actually included with the 25 January 2001 submission and contained in the application file does not appear to be the original court order.

Based on the above, it cannot be concluded that the document contained in the application file is an original court order. Applicants have not included with the renewed petition any additional evidence confirming the name change. Accordingly, the renewed petition is **DISMISSED** without prejudice.

Applicants have **TWO (2) MONTHS** from the mail date of this decision to submit a "Renewed Petition Under 37 CFR 1.182" which would permit acceptance of the declaration filed on 15 December 2000. Such a renewed petition would need to include either "an affidavit signed

with both names setting forth the procedure whereby the change of name was effected" or an original "certified copy" of the document submitted with the present petition.

Failure to submit a proper response before the deadline set forth above will result in abandonment.

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the International Division, Legal Staff.



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